

PERJURY CASES GO

TO THE JURY AFTER

DRAMATIC SPEECHES

Weary From the All-Day
Ses-

sion, Jury Retired After
One

Hour's Deliberation
Without
Verdict

ATTORNEY'S
ARGUMENTS
FULL OF
SENSATIONS

Solicitor Made
Frequent and
Dramatic References
to the

Frank Case—Full Story of Final Day's Proceedings

The Case of Dan S. Lehon, Southern Manager of the William J. Burns International Detective Agency; Carlton C. Tedder, former Burns' Operator, and Arthur Thurman, Attorney, charged with Subornation of Perjury in the Frank Case, is in the hands of the Jury.

The Case went to the Jury at 9:50 o'clock Saturday night, following dramatic pleas by three Attorneys for the Defense and a sensational Argument by Solicitor General Hugh M. Dorsey. One hour later, when it was apparent that the Jury was not near an Agreement, Judge Ben H. Hill, instructed the Jury to go to the hotel and rest, and resume deliberations Sunday morning.

In event a verdict is reached Sunday, the Court said, the Defendants and their Counsel and the Solicitor will be notified, and the verdict received.

St. Claire Adams, the former District Attorney of New Orleans, Counsel for Lehon, opened the Arguments with a forceful denunciation of the State's Case. He was followed by Assistant Solicitor E. A. Stephens, for the State. John A. Boykin spoke for the Defendants and Judge Arthur Powell made their closing Argument, ridiculing the State's main witnesses. A summary of all the speeches is given below.

The first part of the afternoon session was taken up with the statements of the three Defendants, Dan S. Lehon, Arthur Thurman and C. C. Tedder. Each of them denied absolutely any knowledge of or connection with the payment of any money to C. B. Ragsdale and R. L. Barber, or either of them, for making the Affidavits in which they swore they overheard Jim Conley confess to another Negro that he, and not Leo M. Frank, killed Mary Phagan.

Tedder in his statement left the inference that Solicitor Hugh Dorsey was advised of and approved his employment to the Burns Agency in the Burns investigation, and that the Solicitor was informed by him (Tedder) through Attorney William M. Smith of all the developments.

Thurman in his statement characterized the charges against him by Ragsdale and Barber as "a batch of lies."

Lehon in his statement denounced the "persecution heaped upon him in Atlanta" and accused William A. Pinkerton, head of the Pinkerton Detective Agency, of large instigating this persecution.

In the arguments by the lawyers the usual procedure was varied so that the Defense opened instead of the State.

ADAMS FIRST SPEAKER.

St. Claire Adams, former public prosecutor of New Orleans and Special Counsel for Dan S. Lehon, made the first speech.

"Neither Ragsdale nor Barber have been corroborated by a single witness or by a single established fact," he said: "The testimony of a man like Ragsdale and the testimony of a man like Barber must be corroborated before you can believe it. It must be corroborated by real and substantial facts before it is of any value whatsoever. There was not a scintilla of evidence or an item of proof from the perjured lips of Ragsdale or Barber, or from any truthful person, to link Dan S. Lehon with the charges contained in these bills of indictment."

“For the sake of argument let us admit that their Affidavits were false and perjured. Even so, Ragsdale and Barber have come here and lied in the sacred temple of Justice. Ragsdale swore that everything in his Affidavit was true except his identification of Conley. These two perjurers don’t even corroborate their own perjury.”

Mr. Adams referred at length to the conflict between the testimony of Ragsdale and Barber and the testimony of other witnesses, and continuing along this line, he said:

“WHO LIED,” HE ASKED.

“Did Ragsdale lie or did Luther Z. Rosser lie? Did Ragsdale lie or did Morris Brandon lie? Did Ragsdale lie or did young Mr. Tippet lie? To believe this Ragsdale you must believe that both these eminent Attorneys, these leading citizens of Atlanta, these men with characters above reproach, have come here to this sacred tribunal and dirtied their lips with perjury.”

Mr. Adams frequently spoke of Ragsdale as “half knave and half fool.” He said: “I do not like to seem disrespectful to the cloth or to any man who wears the cloth, so I hope you will understand, gentlemen of the Jury, that only that exigencies of this Case demand such remarks as I have made and will make. I respect the cloth and I respect the Office, but I cannot respect the man.

In speaking of the \$200 which Ragsdale claims to have been paid for making his Affidavit, Mr. Adams referred to it as “Ragsdale’s thirty pieces of silver.” He said Ragsdale’s explanation that he repudiated his Affidavit because his conscience hurt him as being worse than Judas Iscariot, because when Judas’ conscience began to hurt him he went into the temple and threw down his thirty pieces of silver, and then went out and hanged himself, but Ragsdale, according to his own admission, used his money in his Business.”

Mr. Adams declared he was at a loss to understand the motives working in Ragsdale’s “half crazy, half crooked mind,” which prompted him to concoct the story told in his Affidavit.

“The only explanation I can reason out,” he said, “is that Ragsdale knew a number of rich and influential Jewish citizens of Atlanta were very much interested in the Frank Case, and he thought by making an Affidavit which would help Frank he could then go

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PERJURY CASES GO TO JURY AFTER DRAMATIC
SPEECHES

**COURT WILL
RECEIVE
VERDICT
TODAY IF
AGREEMENT
RESULTS**

(Continued from Page 1.)

around from one of these to another and beg and borrow money.”

In the Course of his argument, Mr. Adams said: “I believe I do the Solicitor no violence when I say I believe he will never bring Ragsdale and Barber before a Jury of their Peers for Perjury.”

He characterized the whole theory of Lehon’s connection with the alleged payment of money to Ragsdale and Barber as absurd.

“Would Lehon, a sane man, holding a responsible position,” said he, “put his head into such a lion’s mouth as to suborn Ragsdale and Barber through Tedder, a man whom he had known only a week, and who, as he knew, had only recently been in the employ of William M. Smith, who had himself done work for the Solicitor?”

Mr. Adams’ speech was followed by the opening Argument for the State, delivered by E. A. Stephens, Assistant Solicitor.

Mr. Stephens spoke only a few minutes. He said “we are not trying Mr. Rosser or Mr. Brandon for perjury, but Dan S. Lehon, Arthur Thurman and C. C. Tedder, and our Case against him is complete.” He ridiculed a portion of Mr. Adams’ speech in which the latter referred to Lehon’s six daughters and one son, saying, “we are not trying them either.” Mr. Stephens then outlined the general points in the State’s Case.

BOYKIN’S SPEECH.

Mr. Stephens was followed by John A. Boykin, Special Counsel for Tedder. Mr. Boykin opened his Argument by saying, “you never can tell when a liar is telling the truth,” and then he compared the issue in this trial to a civil suit.

“Suppose, gentlemen of the Jury,” he said, “that the ownership of a piece of property depended on the word of Mr. Rosser and Mr. Brandon on the one hand, as against the word of Ragsdale and Barber on the other hand. The Court would charge you to consider the preponderance of evidence and the credibility

of the witnesses and render your verdict accordingly. Would you award the property in accordance with what Mr. Rosser and Mr. Brandon testified, or in accordance with what Ragsdale and Barber testified?"

Mr. Boykin anticipated some of the arguments Solicitor Dorsey would make to the Jury. There are tricks in all trades, he said, and the legal profession is not different in this respect from all other trades and professions. "Nor is the able Solicitor free from this," he continued, "and I remind you not to forget this fact when he grandiloquently addressed you in the name of the State and the name of Society."

Continuing, Mr. Boykin said: "It would be impossible and absurd for me to attempt to dig into this mass of lies and extract the atom of truth, which may be there, but the Solicitor will attempt this task and will take the atom which he claims to find and place it under the microscope of his eloquence and magnify it to the dimensions of a mountain."

As showing Ragsdale's unreliability, Mr. Boykin declared in one of his numerous Affidavits he substituted the name of Dan S. Lehon for the personal pronoun "I," for no other reason in the world than to drag Lehon into the Case.

RAGSDALE'S MOTIVE.

Mr. Boykin said he would, like Attorney Adams, undertake to figure out Ragsdale's motive in making his original Affidavit and later repudiating it, and on this line, he said:

"It is just as reasonable and just as logical to believe from the evidence in this trial that Ragsdale was hired by an enemy of Detective Burns to make his Affidavit and then explode his repudiation, with his charges of perjury, thereby bringing Burns into disrepute and damaging Frank, as to believe from the evidence that he was hired to make his Affidavit by Lehon, Thurman and Tedder, as he charges. It is really more reasonable to believe he sold himself to a scheme to destroy Burns."

“Evidently the motto of Ragsdale and Barber since they repudiated their Affidavits and sprung their perjury charges has been, ‘safety first.’ The reason for all this dope about Ragsdale’s ‘dazed condition and his hazy recollection and his sleepiness,’ and the reason for his son’s admission on the Stand that Ragsdale’s mind is weak are equally and plainly apparent. They were put in to pave the way for Ragsdale’s Defense in the event he should himself be placed on trial for perjury. And Barber likewise followed the ‘safety first’ motto, though in a different way. After first swearing his original Affidavit was wholly and entirely false, he now comes here and swears all of it was true except that portion where he identified the Negro who made the confession as Jim Conley. That also is plainly apparent—a paving of the way for his Defense should he be tried for perjury.”

At this point, Judge Hill adjourned Court for an hour’s recess to get supper, as agreed upon.

When Court reconvened after supper, Judge Powell opened the closing argument for the Defense, Mr. Boykin having finished his argument before Court took the recess.

“The perjury of these two men, Ragsdale and Barber,” said Judge Powell, “shocks my very soul.”

Judge Powell then went on to picture terrible effects of perjury upon the Judicial System.

As the Case progressed, he said, Ragsdale and Barber went further and further into the maze of perjury, until finally they had no more hesitancy about swearing to a lie than a Billy Goat has in jumping over a fence or eating a tin can.

PLAYING TO THE SOLICITOR.

Continuing, Judge Powell said: “Ragsdale, as you gentlemen can readily see, went along swearing just as he thought Mr. Dorsey wanted him to swear, because very naturally he wanted to play favorites with the Solicitor-General so as to save his own hide if he could.”

“The absurdity of the State’s theory is apparent. Would this man Lehon have been fool enough, even if at heart he was corrupt as Ragsdale or Barber, to use this plant, Tedder, in such a Conspiracy as they charge?”

Judge Powell then pointed out many features of the evidence of the Case, which, he declared, showed the remarkable resourcefulness and versatility of Ragsdale as a liar. He continued:

“I ask you gentlemen if any man would believe that this resourceful liar who was willing to make a false Affidavit for \$200 would have gone to the Solicitor and recanted, with the promise of \$10,000 more held out to him if his Affidavit went through? He says his conscience caused him to repent and repudiate his Affidavit, but you know, gentlemen, that it is a fact of law and a fact of logic that one must restore before he can repent. It is a legal and a moral impossibility to repent without restoring. Yet Ragsdale took his \$200 and used it in his Business, so he says.”

Judge Powell before concluding his argument carefully summed up the evidence in the Case, paying particular attention to the exhibits of the Defense as to how Tedder expended the money paid to him by Lehon.

SOLICITOR DORSEY’S

At 8 o’clock Solicitor Dorsey opened the main Argument for the State.

“Don’t convict these Defendants, gentlemen of the Jury,” he began, “if you honestly have a reasonable doubt as to their guilt. As bad as it would be to let suborners of Perjury escape, it would be still worse for Jurors to perjure their Oaths.”

“The worst crime on the Statue Books is Subornation of Perjury. It pollutes the Stream of Justice and makes a mockery of this temple. The Defense has tried to make it appear that I am anxious to convict. My interest is no more than your interest, nor the interest of any other good Citizen of this Community. If we

were to convict them, although innocent, my conscience would be as miserable as yours. Thurman is a brother lawyer. I know him only slightly. Why should I want to convict him? Tedder is a law Agent, who always carries a smile. Why should I want to convict him? And there is Lehon, a man of ability and standing and family. Why should I want to convict Lehon?"

"If you render a verdict of guilty, as I confidently predict you will, won't you do it in the kindest of Spirit toward each and every one of these men, and with sympathy in your hearts for their families?"

"Your duty is to go over obstacles and under obstacles and to get at the truth. There is no more reason to impute perjury to Barber and to Ragsdale than to Morris Brandon and Luther Rosser, or than to Tippet, the man who said Barber was 'all dolled up.' Brandon is an able, experienced lawyer, yet able, conscientious and truth as he is, he made statements on this Witness Stand that he had to take back before the Stenographer's ink was dry. Mr. Rosser, a man of wonderful intellect, who wants to tell the truth, swore that the affidavits were never read before his honor. Tippet crossed himself often."

"AN HONEST VERDICT."

"If these couldn't agree among themselves, are you going to expect poor Ragsdale and poor barber, who are under a tremendous strain, for they had come to embalm their infamy in Affidavits, to agree among themselves? Do you think they would possess the same calmness of Rosser and Brandon when they went in there to try to upset the honest verdict of an honest Jury that convicted Leo M. Frank for the murder or that poor little girl, and to place the noose around the neck of poor Jim Conley, who is as innocent of that crime as I am?"

"If you had gone there to upset the verdict of an honest Jury, to put the noose around an innocent man's neck, would you have been calm? No, not even Thurman, shrewd as he is, or Tedder,

smart as he is, or Lehon, the bellwether of the flock, would have been calm.”

Turning dramatically and facing the Jury, Solicitor Dorsey here exclaimed: “You have an Opportunity now, gentlemen, to float high the flag of Justice in this State. Write a verdict of guilty, the verdict that the dastardly scheme concocted and attempted by these men deserves.”

Turning to the lawyers for the Defense, Solicitor Dorsey continued: “You come in here and ask this Jury to turn these men loose because you insinuate that I am not going to put Ragsdale and Barber where they belong. That insinuation is false. I couldn’t promise immunity to anyone with this incorruptible judge upon the Bench. But when Ragsdale and Barber come in and enter a plea of guilty, or are placed on trial, as they will be if they do not plead, I will stand before his honor, and I have never before promised to any man that I would do this, and I will say: ‘This old man suffers with vertigo. He was in financial Straits and he knew that Thurman was in a position where he could send him to the penitentiary.’

“As Judge Powell says, he may be the scum of the earth, and he has been as putty in the hands of abler men, and if there is any mercy, let him have it—not these. (Pointing to the Defendants.)”

To the jury, the Solicitor continued: “Which would you put on trial first, these men who corrupted him, or the weak old man who was corrupted? Yes, Ragsdale and Barber will stand before His Honor to suffer the consequences of their perjury but to suffer more for the crime of these defendants than for their own crime. I challenge you to show any transaction on the part of Ragsdale which was not fitting as the transaction of an honest minister of the Gospel, which he was before Thurman got his claw on him.”

Mr. ADAMS INTERRUPTS.

Mr. Adams was on his feet immediately. “I can point to the transaction,” he exclaimed.

“Don’t interrupt,” said the Court.

The Solicitor continued: “Thurman was shrewd. Thurman and Tedder got together soon after Burns got here—Burns, who was to upset everything that had been done, and who was going to send John Starnes and Pat Campbell to the penitentiary. Wildauer said he wanted Tedder employed because he was in touch with Solicitor’s Office ‘where there had been crookedness.’”

Here the Solicitor halted dramatically and extending both arms to the Jury, said: ‘You have an opportunity of a life time, to do something for truth and right, to fling back in the teeth of this Burns his insinuation that our courts are corrupt. The idea that he should have the Audacity to insinuate that Nash Broyles and other officials treated him like a yellow dog, when all that was done was to take away his license because he had not complied with the City laws.’

“Frank had been convicted when Mr. Burns and Mr. Lehon entered the Case. The extraordinary motion for a new trial was being heard. Time was flying. Something had to be done, and done quick. Ah, gentlemen, there was great rejoicing in Burnsdom, and for a very short space, Tedder and Lehon were the Heroes. Burns was here eating up money, as Mr. Haas himself has told you. Five hundred dollars was paid to Tedder on the day he was employed, and \$1,000 was paid on the very day the Affidavit was signed.”

THESE LAWYERS DIFFER.

“Judge Powell, who is subtle and shrewd almost beyond endurance, said that Frank would not have got a new trial even if these Affidavits had been the truth. But these lawyers differ,” and here he read extracts from the amendment to the extraordinary motion in which Frank’s Attorneys stressed the importance of the Affidavits as newly discovered evidence.”

“These Affidavits once established,” he resumed, “would have been worth somebody’s while to pay Ragsdale and send him to Africa. And somebody might have done it in the Frank Case.”

Turning to the Defendants, Solicitor Dorsey said: "If you had not been in desperate Straits, you never would have fortified yourselves behind this bunch of Corn Stalks. Burns was hungry. Lehon was anxious. The situation was tense. They must have evidence. So they employed Tedder. I wouldn't have given \$500 for everything that Tedder and 'Bill' Smith both knew about the State's Case. If they had come to me, I would have told them and saved them the \$500. I did know Tedder was going to work for Burns. But at that time, gentlemen, Burns was supposed to be an honest and an upright Detective, seeking only to find the truth. And Tedder was going to work for an honest man to do honest work and to make an honest dollar. Of Course, I didn't object."

TAKES FULL RESPONSIBILITY.

"If they argue to you that I knew this piece of infamy was going to be pulled off-Judge Powell exonerates me, but intimates that somebody in my Office put me up the job—don't exclude me. I take full responsibility, and if my Office did it, they did it with my full knowledge and consent. But you know this couldn't be true."

Here the Solicitor picked up the contract between Tedder and the Burns Agency, and read where Tedder was to seek Bona Fide evidence.

"Why was this put in this Contract?" he went on. "The Purpose of a Contract is to give the monetary consideration. Yet this Contract says the Compensation is to be such as is verbally agreed upon by Lehon and by Tedder. Deliver the goods, Tedder! If you do, you get so much! Fail, and you get so much. Did they say before Wildauer that the purpose was to get the preacher? Don't make the mistake of picking this crowd for a bunch of fools."

"No, no, Powell, you have no fools for clients. They are smooth and shrewd, and designing. Tedder was bought to betray the last man, he should have betrayed—Billie Smith, his employer. This Contract (dramatically waving it before the jury) was drawn simply and solely to flaunt in the face of an honest Jury

and fool them if it could be done. You didn't produce the Contracts until we showed you we had Copies of them. It is remarkable that Tedder's reports have never been produced. You had money to go to Birmingham and get this register which has been doctored and tampered with. But if Tedder went to Chattanooga, where is the register from there? You have money to bring here this learned lawyer from New Orleans. You have money to employ an ex-Justice of the Court of Appeals. And you have money to employ John Boykin. But with all this talent, you couldn't produce a register from Chattanooga, nor an expense account, nor a report."

"A JOB TO CATCH 'EM."

"Lehon's examination at the extraordinary motion hearing is a marvel for what he conceals. But it is all right, gentlemen. It is up to you to write down the truth, and the verdict means truth, and to trust the court to put on a penalty commensurate with the crime. It is hard to get at the truth some times. It is awful to stand for truth against such onslaughts as have been heaped on me." Here the Solicitor literally shouted: "It's a job to catch 'em. Don't let 'em go!"

"This Case is too plain for Argument. How long would Lehon hold his job if every time a crank or a fool came along with a fictitious story he fell for it and railroaded it through? Do you think it even possible, as he claimed, that he did not even talk with these men about the Statements they were going to make? If he didn't talk to them, it was because he had a consciousness of wrong."

"Tedder's statement in effect was, 'I was a party to the plan.' Lehon's statement was an attack on our Court and on a rival Detective Agency. Lehon was the pilot of the ship, guiding and directing. The Case is, did Ragsdale and Barber swear falsely in the Affidavits, as you know they did, and did these men procure and induce them to swear? If the State hasn't shown you beyond a reasonable doubt that these men are guilty, then turn them loose."

JUDGE HILL'S CHARGE.

At 9:45 o'clock, after the Court Room had partially cleared for better Order. Judge Hill began his charge. He told the Jury to make no reference to any other crime mentioned in this Case, but to eliminate everything else and to eradicate prejudice from their minds. He said it was their duty to reconcile conflicting testimony wherever possible without imputing perjury to any witness. He said they were the sole Judges as to the credibility of witnesses. He said a Conspiracy was alleged and for that reason the three Defendants were tried together.

"If you believe there was a Conspiracy, and that these Defendants were acting in a Conspiracy," said the Court, "then the act of one may be considered the act of all. If you don't believe there was a Conspiracy, then the admission of one is binding only upon himself."

Continuing, he instructed the Jury they could find a verdict finding all guilty or all innocent, or finding one guilty and the others innocent.

"In this Case, he said, "the evidence against the Defendant Lehon is entirely circumstantial evidence and if you were to find him guilty, the circumstantial evidence must exclude every other reasonable Hypothesis save that of guilt. The Defendants, if they procured these Affidavits, must have known they were procuring false Affidavits, or else they should not be convicted."

The Case went to the Jury at 9:50 o'clock.

C. C. Tedder took the Stand first in the afternoon session.

Tedder said before accepting employment with the Burns Agency, he went to Smith and asked the latter's advice, that Smith told him to wait until he (Smith) could see the Solicitor and ask the Solicitor's Advice, that shortly Smith reported that the Solicitor had said go ahead and work for the Burns people, and that accordingly he made a Contract on April 16 and was paid

\$250 advance salary and paid \$250 for expenses. Tedder then gave a detailed account of how he spent this money.

As to the making of the Affidavits by Ragsdale and Barber, Tedder said he made an Affidavit to the Solicitor concerning this transaction a few days after the Affidavits were made, and he would now read this Affidavit, which he did, it being the same Affidavit introduced as a part of the State's documentary evidence early in the trial.

In this Affidavit, Tedder and Thurman told him of Ragsdale and Barber, made an arrangement at his request to introduce him to them, and he went to Thurman's office and found them there. After being introduced to them, he took them to Lehon's Office and introduced them to Lehon, and the next thing he knew, they had made their Affidavits and the Affidavits were published in the newspapers. He said he was astonished when they repudiated their Affidavits, and as to any money changing hands, he said he had no knowledge of such a transaction. He said if there had been any money in the deal, he would have reported the fact at once to William M. Smith and the latter certainly would have reported it to Solicitor Dorsey.

Tedder was followed on the Stand, by Arthur Thurman. He made a statement substantially as follows:

"I first met Ragsdale in June, 1913, in connection with a Business transaction. He was in my Office quite frequently after that. One day, he said he had something he wanted to tell me in strict confidence and proceed to tell me his story about overhearing two Negroes talking in an alley and one of them confessing to the other that he killed the white girl in the Pencil Factory. I was not interested in the Frank Case and paid very little attention to Ragsdale's Story. Later, however, I met Tedder one day, and he told me he had been secretly employed in the Burns investigation, and with that I told Tedder what Ragsdale had told me. Tedder later came back to me and said since hearing of Ragsdale's story the Burns people believed him to be the writer of

a letter they had in their possession, telling a very much similar story about a confession by Conley.”

“Tedder asked me to introduce him to Ragsdale, which I agreed to do, and the next time I saw Ragsdale, I broached the matter. He said he would think it over. A few days later, he called me up on the telephone and said he was coming to see me and asked me if he could bring another man. I told him to come along and bring the man.”

“On April 22, Ragsdale and Barber came into my Office and we waited for Tedder to come in. He failed to show up, and I got tired of waiting for him and told Ragsdale and Barber to come back the next day. They came the following morning and so did Tedder, and I introduced them to him. Tedder asked me to take them over to see Lehon and I agreed. There was no discussion in my office of what they were going to say in their Affidavits, and we left for Lehon’s Office almost immediately. I was not particularly interested in them or the Frank Case and so after introducing them to Lehon at his Office, I left and that was the termination of my connection with the matter. However, on the afternoon of April 24, the day after they made their Affidavits, Ragsdale came to my Office and said he felt better, as he was glad to get the matter off of his conscience.”

“There never was a more complete falsehood than this fabrication about my paying Ragsdale and barber money for making their Affidavits. They’ve both told a batch of lies. I never called Ragsdale on the telephone in my life, either before or after he concocted this story. I leave my Case with you, gentlemen, confident you will not believe a single word these confessed perjurers have told you.”

LEHON TAKES STAND.

Dan S. Lehon then took the Stand and made his statement, which was substantially as follows:

“Mr. Burns wired me to come to Atlanta and meet him for a conference, which I did, and he told me he had gone into an

investigation of the Mary Phagan murder mystery, with a Contract to make a fair and impartial investigation and report the facts as he found them, regardless of who might be hurt."

"The beginning of the Ragsdale matter was a letter, turned over to the Burns Agency by the Atlanta Journal, mailed from Marietta, Ga., and signed by 'Uncle Jenkins,' who represented himself to be a Negro evangelist, and asked the Editor of The Journal to publish his letter in order that the truth might be known."

"In this letter, the writer, who seemed to be very illiterate, told of passing an alley one night in Atlanta and overhearing Jim Conley confess to killing the girl in the Pencil Factory."

HOW THEY GOT TEDDER.

"In the Course of the investigation I came in contact with Dr. B. Wildauer, one of the friends of Mr. Frank, and he recommended that we get C. C. Tedder. I was doubtful of him, because there had been so much trickery by the State's witnesses, and was not disposed to get him, but Dr. Wildauer insisted that he believed Tedder would be valuable, inasmuch as he had been connected with William M. Smith, Conley's lawyer, and was therefore familiar with the State's Case and the Solicitor's methods. Later Tedder called me up on the telephone, and the upshot of the matter was that I decided to employ him, and signed a contract with him on April 16, and paid him advance salary and expense money, as has been brought out."

"I suspected then that Tedder was a plant by the Solicitor, but later Tedder showed me a letter which convinced me that maybe he was on the Square with the Burns Agency. This letter was addressed to Jim Conley at the jail. The signature of the writer was obliterated."

"In this letter, the writer said something like this: 'I am not going to be silent any longer, Jim. You know you told me you didn't mean to kill the girl when you pushed her down the hole, so God will forgive you for killing her but he won't forgive you for

letting a white man hang and he won't forgive me for keeping silent.'"

"Shortly after showing me this letter, Tedder told me of a preacher client of a lawyer named Arthur Thurman, and I was still further inclined to be convinced that maybe Tedder was on the Square with us. When I told Mr. Burns about the preacher's story, as related to me by Tedder, he laughed and said he didn't want any more alley stuff, but still he advised me to look into it, on the chance that it might develop something important."

"That is about all, except that Tedder called me on the telephone and said he was bringing the preacher and the preacher's friend over to see me. They came in, I was introduced to them, and immediately, without having any conversation with them, I took them to Attorney Rosser's Office, where they made their Affidavits, just in the manner you have been told."

"In conclusion, gentlemen, I could say a whole lot about the persecution that has been heaped upon me since I took up this investigation. I have been treated like a criminal by the Police Department of Atlanta. The Police did not give me the consideration of a yellow dog would have the right to expect. My life was nearly taken by a cowardly mob at Marietta. But I need not go into all that. This persecution was largely instigated by William A. Pinkerton, an enemy of Mr. Burns. He got very much interested when he found out we were about to prove that Harry Scott, one of his Operatives, had perjured himself. I leave my Case in your hands."
